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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 17th October, 1961 :—

Issue No.	No. and Date	Issued by	Subject
111.	G.S.R. 1271, dated 13th October, 1961.	Ministry of Food and Agriculture	Rescinding G.S.Rs. 1312, dated 28th November, 1959 and 1313, dated 28th November, 1959.
	G.S.R. 1272, dated 13th October, 1961.	Do.	Rescinding G.S.R. 388, dated the 18th March, 1961.
112.	G.S.R. 1273, dated 13th October, 1961.	Ministry of Law	Delimitation of Council Constituencies (Uttar Pradesh) Amendment Order, 1961.
113.	G.S.R. 1293, dated 17th October, 1961.	Ministry of Food and Agriculture	Authorising the Director of Food Supplies, Orissa to determine the average market rate of rice or paddy to control the rise in prices and preventing the hoarding of rice etc. in Orissa State.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

SUPREME COURT OF INDIA

New Delhi, the 20th October 1961

G.S.R. 1292—The following is published for general information.—

THE ALL INDIA BAR COUNCIL (FIRST CONSTITUTION) RULES 1961.

In exercise of the powers conferred by section 57 of the Advocates Act, 1961 (25 of 1961), the Supreme Court hereby makes the following rules:—

1. **Short title.**—These rules may be called the All-India-Bar Council (First Constitution) Rules, 1961.

2. Definitions.—In these rules, unless the context otherwise requires—

- (i) "Act" means the Advocates Act, 1961;
- (ii) "All-India-Bar Council" means the Bar Council for India constituted under section 4 of the Act;
- (iii) "Attorney-General" means the Attorney-General for India,
- (iv) "State Bar Council" means a Bar Council constituted under section 3 of the Act.

3. Summoning of meeting of State Bar Council for election of members to All-India-Bar Council.—(1) As soon as may be after a State Bar Council is constituted, a meeting of the State Bar Council shall be convened for the purpose of electing a member of the Bar Council to the All-India-Bar Council.

(2) The Chairman of the State Bar Council shall appoint a date for such meeting and notice of the date, time and place of the meeting shall be given to all the members of the State Bar Council over the signature of the Secretary of the said Council not less than thirty clear days before the date of the meeting.

4. Candidates how to be proposed.—Every candidate for election as a member of the All-India-Bar Council shall be proposed by two members of the State Bar Council by letter addressed to the Secretary of the State Bar Council and signed by each such member and delivered to the said Secretary not less than ten and not more than twenty-one days before the date of the election and such letter shall contain an endorsement of the candidate proposed signifying his acceptance of the proposal made therein.

5. Withdrawal from election.—Any person whose name has been proposed as a candidate may withdraw his name by communication in writing so as to reach the Secretary of the State Bar Council not less than seven days before the date of the election, and thereupon his name shall be omitted from the list of candidates.

6. Publication of List of candidates.—Not less than five days before the date fixed for election, the Secretary of the State Bar Council shall cause the names of all the candidates proposed to be posted on a notice board in the office of the State Bar Council.

7. Election.—(1) When only one candidate is proposed, the Secretary of the State Bar Council shall declare that candidate as having been duly elected.

(2) When more than one candidate has been proposed, an election shall be held by ballot and the candidate securing the largest number of votes shall be declared as having been duly elected.

(3) When between two or more candidates who have secured the highest number of votes an equality of votes is found to exist the election out of such candidates shall be decided by drawing of lot and the candidate in whose favour the lot falls shall be declared as having been duly elected.

8. Publication of list of candidate elected.—The name of the person elected to the All-India-Bar Council shall be published in the Official Gazette and shall also be sent to the Secretary of the All-India-Bar Council.

9. Disputes as to validity of election.—(1) A candidate may contest the validity of the election of a candidate declared to have been elected to the All-India-Bar Council by letter signed by him and addressed to the Secretary of the State Bar Council.

(2) Such letter shall state the grounds on which the validity of the election is contested and shall be delivered to the Secretary of the State Bar Council within seven days from the date of publication in the Official Gazette of the name of the successful candidate under rule 8.

(3) The Secretary of the State Bar Council shall on receipt of any such letter refer the dispute arising therefrom to the authority specified in rule 11 for decision.

(4) Subject to the other provisions contained in this rule, after the expiry of ten days from the date of such publication, the election of such candidate shall not be contested on any ground whatsoever.

10. Finality of election.—At the expiry of ten days from the date of the publication of the result of election under rule 8, the election shall be final and the voting papers shall be destroyed;

Provided that if the validity of the election has been challenged under rule 9, the voting papers shall be preserved and dealt with, as the authority specified in rule 11 may direct.

11. **Determination of Disputes.**—(1) Any dispute arising under rule 9 shall be decided by a committee of Advocates appointed by the Attorney-General, and for the purpose of deciding the dispute the said Committee may hold such inquiry into the matter and in such manner as it may deem fit.

(2) The decision of the said Committee shall be final.

12. **Invalid election.**—If the Committee appointed under rule 11 decides that a candidate has not been validly elected, the State Bar Council shall hold a fresh election in the manner hereinbefore provided.

13. **Filling of casual vacancy.**—Any casual vacancy among the elected members of the All-India-Bar Council shall be filled in such manner as that Council may determine.

14. **Election of Chairman and Vice-Chairman.**—The All-India-Bar Council shall, as soon as may be after it is constituted, elect a Chairman and Vice-Chairman from among its members.

15. **Secretary and Accountant.**—The All-India-Bar Council shall appoint a Secretary and may, if it thinks fit to do so, appoint an Accountant.

16. **Quorum.**—The Quorum for any meeting of the All-India-Bar Council shall be seven.

17. **Decisions of the All-India-Bar Council.**—(1) The decisions of the All-India-Bar Council shall be by a majority of votes of the persons present at any meeting.

(2) Each member present shall have one vote and the Chairman of the meeting shall have a casting vote.

18. **Transitional provisions.**—(1) Until a Chairman is elected to the All-India-Bar Council, the functions of the Chairman shall be performed by the Attorney-General.

(2) Until a Secretary is appointed by the All-India-Bar Council, the functions of such Secretary shall be performed by the Registrar of the Supreme Court.

[No. F. 34/61-MJII.]

By Order of the Court
ARINDAM DUTT, Registrar.

MINISTRY OF FINANCE (Department of Economic Affairs)

New Delhi, the 30th September 1961

G.S.R. 1293.—In exercise of the powers conferred by clause (2) of article 77 read with clause (1) of article 299 of the Constitution, the President is pleased to make the following rule, namely:—

The Agreement between the President of India, the Boeing Airplane Company, Seattle, Washington, and the Export-Import Bank of Washington in connection with the establishment by the said Airplane Company and the said Bank of a line of credit in favour of India for financing purchase of two additional Boeing, Model 707-437 aircrafts, less engines, related spare parts and services by the Air India International Corporation and all documents required to be executed in exercise of the executive power of the Union of India in connection with that agreement shall be executed and authenticated on behalf of the President by the Ambassador of India or in his absence by the Minister (Political) of the Embassy of India in the United States of America.

Dated at New Delhi this 30th day of September, 1961.

By order and in the name of the President.

[No. F.7(29)F.C.I./61:]

New Delhi, the 13th October 1961

G.S.R. 1294.—In exercise of the powers conferred by clause (2) of article 77 read with clause (1) of article 299 of the Constitution, the President is pleased to make the following rule, namely:

All applications, certificates or other documents required or permitted to be executed in exercise of the executive power of the Union of India in pursuance of

the provisions of any Development Credit Agreement entered into or to be hereafter entered into between the Government of India and the International Development Association shall be executed and authenticated on behalf of the President by any of the officers specified below, namely:

- (i) the Chief Accounts Officer of the India Supply Mission in the United States of America;
- (ii) the Accounts Officer of the India Supply Mission in the United States of America; and
- (iii) the First Secretary to the Indian Embassy in the United States of America.

[No. F. 12(14)/61-Fund-Bank.]

By order and in the name of
the President,

K. S. SUNDARA RAJAN, Jt. Secy.

(Department of Expenditure)

New Delhi, the 12th October 1961

G.S.R. 1295.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution the President, after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, hereby makes the following Rules further to amend the Fundamental Rules, namely:—

1. These rules may be called the Fundamental (Seventh Amendment) Rules, 1961.

2. In the Fundamental Rules—

(1) in Rule 13, for clause (d) the following clause shall be substituted, namely:—

“(d) subject to the exception in sub-rule (2) of Rule 97, while on leave other than refused leave granted after the date of compulsory retirement under Rule 86 or corresponding other rules.”

3. in Rule 14-A for clause (c), the following clause shall be substituted, namely:—

“(c) Notwithstanding the provisions of Rule 14(a), the lien of a Government servant holding substantively a permanent post shall be terminated while on refused leave granted after the date of compulsory retirement under Rule 86 or corresponding other rules, or on his appointment substantively to any of the offices referred to in sub-rule 1 of Rule 97 or to the post of Chief Engineer of the Public Works Department.”

4. The amendments hereby made shall not apply to officers of the ex-Secretary of State Services.

[No. F. 9(2)-Est.IV(A)/61.]

K. P. SIRCAR, Dy. Secy.

(Department of Revenue)

CUSTOMS

New Delhi, the 13th October 1961

G.S.R. 1296.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, read with rule 63 of the Indian Aircraft Rules, 1929, the Central Government hereby exempts engines and parts of aircraft when reimported into India or the State of Pondicherry after having been exported, from so much of the Customs duty leviable thereon under the Indian Customs Tariff Act, 1934 (32 of 1934), as is in excess of the customs duty payable on the cost of repair, if any (which includes the charges paid for the material as well as for labour, insurance and freight) in the following cases:—

- (1) Engines and certain specified parts which fail abroad and are re-imported.

- (2) Engines or certain specified parts sent abroad as a stand by for replacement of a defective one and subsequently brought back to India in the same condition without being installed on a aircraft.
- (3) Engines and certain specified parts lent by an Indian Company to a Foreign Company.

The concession will be admissible subject to such conditions and the observance of such procedure as may be laid down by the Government of India from time to time.

[No. 117.]

J. DATTA, Under Secy.

(Department of Revenue)

CUSTOMS

New Delhi, the 28th October 1961

G.S.R. 1297.—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (8 of 1878), the Central Government hereby appoints the Chief Inspector, Preventive Department in the Visakhapatnam Customs House, to be Customs Collector for the port of Visakhapatnam and to exercise the powers conferred and perform the duties imposed by the said Act upon a Customs Collector.

[No. 118.]

G.S.R. 1298.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, and in supersession of the notification of the Government of India in the Ministry of Finance (Revenue Division), No. 10-Customs, dated the 19th March, 1949, the Central Government hereby exempts Sisal Fibre, Cebu Maguey, and Cork unmanufactured and granulated cork, when imported into India or the State of Pondicherry from payment of the customs duties leviable thereon.

[No. 119.]

L. S. MARTHANDAM, Under Secy.

(Department of Revenue)

CENTRAL EXCISES

New Delhi, the 28th October 1961

G.S.R. 1299.—In exercise of the powers conferred by sub-rule (1) of rule 8 of the Central Excise Rules, 1944, as in force in India and as applied to the State of Pondicherry, the Central Government hereby exempts soda-water bottles from so much of the duty of excise leviable thereon under item 23-A of the First Schedule to the Central Excises and Salt Act, 1944 (1 of 1944), as is equivalent to the amount of duty paid on the glass balls placed inside such bottles.

[No. 174/61.]

R. B. SINHA, Under Secy.

ERRATA

In Ministry of Finance (Department of Revenue) Notification No. 15, dated 15th July 1961 published in Gazette of India, Part II—Section 3, Sub-section (i), dated the 15th July 1961 as G.S.R. No. 899, the following corrections are to be made in the table:—

At page No. 980—

In col. 3, against entry No. 3 of the table, the words "8 ouches" have been published instead of "8 ounces".

At page No. 981—

In col. 4, against entry No. 11 of the table, the words "135 London Proof Litres" have been published instead of "125 London Proof Litres".

MINISTRY OF HOME AFFAIRS

New Delhi, the 16th October 1961

G.S.R. 1300.—In exercise of the powers conferred by sub-section (1) of section 3 of the All India Services Act, 1951 (61 of 1951), the Central Government, after consultation with the Governments of the States concerned, hereby makes the following rules further to amend the Indian Police Service (Uniform) Rules, 1954, namely:—

1. These Rules may be called the Indian Police Service (Uniform) Second Amendment Rules, 1961.

2. In paragraph 3-A of the Schedule to the Indian Police Service (Uniform) Rules, 1954, in clause (ii),—

(a) in the second sentence, for the portion beginning with "on red background" and ending with "wear plain blue collars", the following shall be substituted, namely:—

"on red background of red melton cloth or any thick red material so that the patches are lined with this material and its edges show as a background. The edges should form a border 1/8th of an inch all round the gorget patch. Other Superintendents of Police and Assistant Superintendents of Police should wear plain blue collars."

(b) in the last sentence, after the words "collar badges", the words "of white metal" shall be inserted.

(c) at the end of the paragraph the following sentence shall be added, namely:—

"The Collar badges will be so fixed that their inner most edges are one inch from the collar opening on either side of the garment."

[No. 6/11/60-AIS(III).]

G. R. NAIR, Under Secy.

New Delhi, the 17th October, 1961

G.S.R. 1301.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment to the posts of Superintendent (Office of the Assistant Commissioner for Scheduled Castes and Scheduled Tribes), namely:—

1. **Short title.**—These rules may be called the Office of the Assistant Commissioner for Scheduled Castes and Scheduled Tribes (Superintendent) Recruitment Rules, 1961.

2. **Application.**—These rules shall apply to the post of Superintendent in the office of the Assistant Commissioner for Scheduled Castes and Scheduled Tribes.

3. **Classification, scale of pay, method of recruitment, etc.**—The classification of the said post, the scale of pay attached thereto, the method of recruitment, qualifications and other matters relating to the said post shall be as specified in columns 2 to 12 of the Schedule annexed to these rules.

SCHB

Name of post	Classification	Scale of Pay	Whether selection or non-selection post	Method of recruitment
1	2	3	4	5
Superintendent	Class III Non-gazetted Ministerial	Rs. 350—20—450— 25—475	Selection	By promotion of Upper Division Clerks in the regional offices of the Organisation of the Commissioner for Scheduled Castes and Scheduled Tribes, failing which by deputation of persons holding the posts of Assistant or equivalent/higher posts and failing that by those persons holding the posts of Upper Division Clerk in the headquarters office of the Organisation of the Commissioner for Scheduled Castes and Scheduled Tribes; failing which By deputation of persons holding posts of Assistant or equivalent/higher posts and failing that by those persons holding the posts of Upper Division Clerk in other offices of the Government of India.

DULE

Period of probation	For direct	rectt. only	Whether age and qualifications prescribed for direct. rectt. will apply in the case of promotees	In case of recruitment by promotion/transfer/ deputation, grades from which promotion transfer/ deputation to be made	Circumstances in which U.P.S.C. is to be consulted in making recruitment.
Age limit	Educational qualifications required	Period of probation/ trial, if any			
6	7	8	9	10	11
12					
Two years	..	Not applicable	..	Does not arise	From the grade of Upper Division Clerk/Assistant or from equivalent or higher grade with at least 5 years experience in administration/ establishment and cash work.
					Since it is a class III Post, consultation with the U.P.S.C. is not necessary.

[No. F. 3/13/60-SCT.IV.]

M. P. RODRIGUES, Under Secy.

MINISTRY OF COMMERCE & INDUSTRY
(Department of Company Law Administration)

New Delhi, the 20th October, 1961

CERTIFIED AUDITORS' RULES, 1961

G.S.R. 1302.—In exercise of the powers conferred by clause (b) of sub-section (2) of section 226 of the Companies Act, 1956 (I of 1956) and in supersession of the Restricted Auditors' Certificates Rules, 1956 the Central Government hereby makes the following rules, namely:—

1. Short title, extent and commencement.—(1) These rules may be called the Certified Auditors' Rules, 1961.

(2) They extend to the whole of India except the State of Jammu and Kashmir.

(3) They shall come into force at once.

2. Definitions.—In these rules, unless the context otherwise requires,—

(a) "Council" means the Council of the Institute;

(b) "Form" means a form appended to these rules;

(c) "Holder" means the holder of a Certificate;

(d) "Institute" means the Institute of Chartered Accountants of India;

(e) "Register" means the Register maintained in pursuance of rule 4;

(f) "Secretary" means the Secretary to the Council.

3. Certified Auditors.—Every person who, at the commencement of these rules, holds a certificate which has been renewed to him under the Restricted Auditors' Certificates Rules, 1956 and which is in force at such commencement shall, notwithstanding anything contained in such certificate, continue to be entitled to act as an auditor of companies until the 30th June, 1962 and thereafter, if the certificate is renewed under these rules, may continue to act as an auditor of companies for the period for which the certificate has been so renewed.

4. Register of Certified Auditors.—(1) The Council shall maintain in form A a Register of Certified Auditors in which shall be entered the name of every person who under rule 3 is entitled for the time being to act as an auditor of companies.

(2) The name of a Certified Auditor who has failed to renew his certificate under rule 5 or whose certificate has been suspended or cancelled under rule 8 shall be removed from the register, and the name of a Certified Auditor whose certificate is renewed by the Council under rule 6 or under rule 9 shall be restored to the register.

(3) Every removal of a name from the register and every restoration of a name thereto shall be notified in the Gazette of India.

5. Renewal of certificate.—(1) A Certified Auditor who intends to continue to act as an auditor of companies may apply to the Secretary for renewal of his certificate.

(2) Every application for renewal shall be in form B and be made in the month of April immediately preceding the date of expiry of the certificate.

(3) On receipt of such application, the Secretary shall renew the certificate in form C till the 30th June of the following year.

6. Renewal of certificate after expiry.—(1) Where a Certified Auditor fails to apply for renewal of the certificate under rule 5, he may apply to the Council for condoning the omission and for renewing the Certificate, every such application shall be sent so as to reach the Secretary on or before the 31st March immediately following the date of expiry of the certificate.

(2) The Council may, if it is satisfied that there was sufficient justification for the failure to apply for renewal in time, condone the omission and renew the certificate up to the 30th June following; such renewal shall be in form C.

7. Styling as Certified Auditor.—Every person entitled to act as an Auditor of companies under these rules shall be a Certified Auditor and shall style himself as such or if he practises under a firm name the firm shall be styled as Certified Auditors:

Provided that the firm shall not be entitled to style itself Certified Auditors unless all the partners are entitled to act as auditors of companies under these rules.

8. Suspension or Cancellation of Certificate.—(1) The Council may, at any time, suspend or cancel a certificate if the holder thereof—

- (a) has been adjudged by a competent Court to be of unsound mind;
- (b) is an undischarged insolvent;
- (c) being a discharged insolvent, has not obtained a certificate from the Court that his insolvency was caused by misfortune without any misconduct on his part;
- (d) has been convicted by a competent Court, whether within or without India, of an offence involving moral turpitude and punishable with imprisonment, or of an offence not of a technical nature, committed by him in his professional capacity unless, in respect of the offence committed, he has either been granted a pardon, or on an application made by him in this behalf, the Central Government has, by an order in writing, removed the disability; or,
- (e) has been declared by the Central Government to have been guilty of any act of commission or omission specified in the Appendix or of other conduct which renders him unfit to hold a certificate.

(2) The Council may also on the application of the holder, suspend or cancel his certificate.

9. Renewal of suspended or cancelled certificate.—Where a certificate has been suspended or cancelled under sub-rule (2) of rule 8, the Council may on an application in that behalf by the person who held the certificate, presented so as to reach the Secretary before the expiry of one year from the date of the suspension or cancellation, rescind the same and grant him a certificate of renewal which shall be in Form D.

10. Communication to holder.—The suspension or cancellation of certificate in pursuance of rule 8, or the grant of a certificate of renewal in pursuance of rule 9 shall be communicated to the holder of the suspended or cancelled certificate or of the certificate of renewal, as the case may be, at his usual address.

11. Procedure for declaration by Government.—Before the Central Government makes a declaration in pursuance of clause (e) of rule 8(1), the provisions and procedure laid down in rule 12 shall apply and be followed.

12. Enquiry into complaints.—(1) Subject to the provisions of this rule, all complaints against any holders shall be investigated and all other enquiries relating to misconduct of any holder shall be held by the Disciplinary Committee of the Council.

(2) Every complaint shall be in Form E and shall contain the following particulars, namely, (a) acts and omissions which, if proved, would render the person complained against unfit to hold a certificate, (b) the oral or documentary evidence relied upon in support of the allegations made in the complaint.

(3) The Secretary shall return a complaint which is not in the proper form or which does not contain the aforesaid particulars, to the complainant for representation after compliance with such objections and within such time as the Secretary may specify:

Provided that if the subject matter of a complaint is, in the opinion of the President of the Council, substantially the same as or covered by any previous complaint or information received and if no additional ground is alleged, the Secretary shall file the said complaint without any further action and inform the complainant accordingly.

(4) Within sixty days ordinarily of the receipt of a complaint the Secretary shall,

(a) if the complaint is against an individual holder, send a copy thereof to him at his address entered in the Register;

(b) if the complaint is against a firm, send a copy of the complaint to the firm at the address of its head office as communicated by the complainant, calling upon the firm to disclose the name of the holder concerned and to send a copy of the complaint to such holder.

Explanation.—A notice to the firm shall be a notice to all the holders who are partners or employees of that firm.

(5) The holder against whom the complaint is made may within fourteen days of the service of a copy of the complaint under sub-rule (4) or within such time as may be extended by the Secretary, forward to the Secretary a written

statement of his defence verified in the same manner as a pleading in a Civil Court.

(6) If after perusal of the complaint and the written statement, if any, of the holder concerned, the President of the Council considers it necessary to do so, he may call for any additional papers or documents connected with the case either from the complainant or from the holder concerned or from both.

(7) If on a perusal of the complaint and the written statement, if any, of the holder concerned and other relevant documents and papers, the Council is of the opinion that there is a *prima facie* case against such a holder the Council shall cause an enquiry to be made in the matter by the Disciplinary Committee of the Council. If the Council is of the opinion that there is no *prima facie* case against the holder concerned the complaint shall be filed and the complainant, the holder concerned and the Central Government shall be informed accordingly:

Provided that if a complaint by or on behalf of the Central or a State Government is so filed by the Council and the Central Government is of the opinion that the complaint should be further inquired into, the Central Government may direct the Council to cause an enquiry to be made in the matter by the Disciplinary Committee of the Council and the Council shall act accordingly.

(8) Every notice issued by the Secretary or by the Disciplinary Committee under this rule shall be sent to the holder or the firm concerned by registered post with acknowledgement due. If such notice is returned unserved with an endorsement indicating that the addressee has refused to accept the notice, the notice shall be deemed to have been served. If the notice is returned unserved with an endorsement that the addressee cannot be found at the address given, the Secretary shall ask the complainant to supply to him the correct address of the holder or the firm concerned. A fresh notice shall be served upon the holder or the firm at the address so supplied.

(9) It shall be the duty of the Secretary to place before the Disciplinary Committee all facts brought to his knowledge which are relevant for the purpose of an enquiry by the Disciplinary Committee.

(10) A holder against whom the complaint is made shall have the right to defend himself before the Disciplinary Committee of the Council either in person or through a legal representative or any other certified Auditor or a Member of the Institute.

(11) Except as otherwise provided in these rules, the Disciplinary Committee of the Council shall have the power to regulate its procedure in such manner as it considers necessary and during the course of enquiry may examine witnesses on oath, receive affidavits and any other oral or documentary evidence.

(12) The Disciplinary Committee of the Council shall submit its report to the Council and the Council shall consider the report of the Disciplinary Committee and after making such further enquiry, if any, as it may deem necessary, forward the same together with its findings to the Central Government.

(13) On receipt of the findings of the Council, the Central Government shall pass such orders as it may consider fit or may refer the case back for further enquiry by the Council and upon receipt of the finding after such enquiry pass final order thereon.

13. Information received against holders.—The procedure prescribed by rule 12 shall, so far as may be, apply to any information received regarding any act of negligence, misconduct or dishonesty or any breach of professional propriety referred to in clause (e) of rule 8(1) of these rules.

APPENDIX

[See rule 8(1) (e)]

A Certified Auditor shall be deemed to be guilty of breach of professional propriety rendering him unfit to act as such if he:

- (1) represents that he is a member of the Institute of Chartered Accountants of India or uses the designation "Chartered Accountant" and/or words likely to create an impression that he is a member of the Institute;
- (2) allows any person to practise in his name as a Certified Auditor unless such a person is also a Certified Auditor and is in partnership with or employed by his firm or himself;
- (3) pays or allows or agrees to pay or allow, directly or indirectly, to any person other than a Certified Auditor or a retired partner or a nominee or the legal representative of such partner, any share,

- commission, or brokerage in the fees or profits of his professional services;
- (4) accepts or agrees to accept any part of the profits of the professional work of a lawyer, auctioneer, broker or other agent who is not a Certified Auditor;
 - (5) enters into partnership with any person other than a Certified Auditor or secures either through the services of a person not qualified to be a Certified Auditor or by means which are not open to a Certified Auditor, any professional business;
 - (6) solicits clients or professional work either directly or indirectly, by circular advertisement, personal communication or interview or by any other means;
 - (7) advertises his professional attainments of service, or uses any designation or expressions other than "Certified Auditor" on professional documents, letter-heads, visiting cards or sign-capsboards, unless it be a Degree of a University established by law in India or recognised by the Council;
 - (8) discloses information acquired in the course of his professional engagement to any person other than his client, or otherwise than as required by any law in force for the time being;
 - (9) accepts a position as auditor previously held by a Certified Auditor or a Chartered Accountant without first communicating with him in writing;
 - (10) accepts an appointment as auditor of a company without first ascertaining from it whether the requirements of section 226 of the Companies Act, 1956 (I of 1956) in respect of the appointments of auditors, have been duly complied with;
 - (11) certifies or submits in his or his firm name a report of an examination of financial statements unless the examination of such statements and the related records has been made by him or by a partner or any employee in his firm or by another Certified Auditor;
 - (12) permits his name or the name of his firm to be used in connection with an estimate of earnings contingent upon future transaction in a manner which may lead to the belief that he vouches for the accuracy of the forecast;
 - (13) expresses his opinion of financial statements of any business or any enterprise in which he, his firm or a partner in his firm has a substantial interest, unless he discloses the interest also in his report;
 - (14) charges in respect of his professional employment fees which are based on the percentage of profits or which are contingent on results;
 - (15) engages in any business or occupation other than the profession of a Certified Auditor unless permitted by the Council to be so engaged; Provided that nothing contained herein shall disentitle a Certified Auditor from being a director in a company unless he or any of his partners is interested in such a company as auditor;
 - (16) fails to disclose a material fact known to him which is not disclosed in a financial statement, but disclosure of which is necessary to make the financial statement not misleading;
 - (17) fails to report a material misstatement known to him to appear in a financial statement with which he is concerned in a professional capacity;
 - (18) is grossly negligent in the conduct of his professional duties;
 - (19) fails to obtain sufficient information to warrant the expression of an opinion or his exceptions are sufficiently material to negate the expression of an opinion;
 - (20) fails to invite attention to any material departure from the generally accepted procedure of audit applicable to the circumstances;
 - (21) fails to keep monies of his client in a separate banking account or to use such monies for which they are intended;
 - (22) includes in any statement, return or form to be submitted to the Central or State Government or the Institute any particulars knowing them to be false;

- (23) is guilty of such other act or omission in his professional capacity as may be specified by the Council or the Central Government by a notification in the Gazette of India;
- (24) charges or offers to charge, accepts or offers to accept in respect of any professional employment fees which are based on a percentage of profits or which are contingent upon the findings or results of such employment, except in cases which are specified by the Council or by the Central Government in this behalf by notification in the Gazette of India;

Provided that in cases of receivership, bankruptcies and liquidations where the remuneration may be based on a percentage of the realisation and distribution of the assets and in audit of co-operative societies and Estate Duty Valuation, the work accepted by a Certified Auditor shall be excluded from the operation of this clause;

- (25) secures either through the services of a person not qualified to be his partner or by means which are not open to a Certified Auditor or a Chartered Accountant, any professional business;
- (26) accepts a position as auditor previously held by some other Certified Auditor or Chartered Accountant in conditions which constitute under-cutting;
- (27) allows a person not being a Certified Auditor or a Certified Auditor not being his partner to sign on his behalf or on behalf of his firm, any balance sheet, profit and loss account, report or financial statement;
- (28) does not supply the information called for, or does not comply with the requirements asked for, by the Council or any of its Committees; and
- (29) contravenes any of the provisions of these Rules.

FORM A

[See rule 4(1)]

Register of Certified Auditors

- (1) No.
- (2) Name.
- (3) Father's name.
- (4) Date of birth.
- (5) Professional address.
- (6) Residential address.
- (7) Qualifications.
- (8) Date of Issue.
- (9) Whether holding a salaried employment in addition to his practice as an auditor.
- (10) Whether practising independently or in partnership and in the latter case, name of firm.
- (11) Remarks.

FORM B

[See rule 5(2)]

Report of the intention to continue practice

To

The Secretary to the Council of the Institute of Chartered Accountants of India.

Dear Sir,

I hereby apply for the renewal of my Certified Auditor's Certificate.

*2. I declare that I am not engaged in any other occupation or business besides the profession of accountancy. If and when I intend to be so engaged, I shall obtain the prior permission of the Council.

*3. I am engaged in other occupation(s) besides the practice of the profession of accountancy as for which permission of the Council has already been obtained (*vide* their letter No. dated).

*Delete either paragraph 2 or paragraph 3 whichever is inapplicable.

4. As and when I cease to be in practice, I shall duly inform the Council.

5. I hold the Certified Auditors' Certificate No. for the period ending

Place

Date

Yours faithfully,

Signature

C.A.C. No.

FORM C

[See rule 5(3)]

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

Renewal of Certified Auditor's Certificate

This is to certify that the Certificate dated the issued in favour of of has been renewed upto and inclusive of 30th June, 19.....

By the authority of the Council,

New Delhi:

Dated:

Secretary.

FORM D

(See rule 9)

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

Removal of Cancelled/Suspended Certified Auditor's Certificate.

This is to certify that the suspension/cancellation, in pursuance of rule 8(2) of the Certificate dated issued in favour of has been rescinded and that the said Certificate has been renewed upto and inclusive of the 30th June, 19.....

By the authority of the Council,

Secretary.

New Delhi:

Dated:

FORM E

[See rule 12(2)]

Form of Complaint

BEFORE THE COUNCIL OF THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

BETWEEN

Petitioner

and

Respondent

Petitioner's address.

Respondent's address.

Particulars of complaint in paragraphs consecutively numbered.

Particulars of evidence, oral and documentary, if any to substantiate the complaint.

Signature.

Verification

I, the petitioner, do hereby declare that paragraphs of the petition above are true to the best of my knowledge and that paragraphs .. of the petition above are true to the best of my belief.

Verified today the day of 19at

Signature.

[No. 7/10/61-Inst.]

V. SATYAMURTI, Dy. Secy.

MINISTRY OF STEEL, MINES & FUEL
(Department of Mines & Fuel)

New Delhi, the 16th October 1961

G.S.R. 1303.—In exercise of the powers conferred by section 13 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral Concession Rules, 1960, namely:—

1. These rules may be called the Mineral Concession (Second Amendment) Rules, 1961.
2. In the Mineral Concession Rules, 1960, rule 58 shall be re-numbered as sub-rule (1) thereof and after sub-rule (1) as so re-numbered, the following sub-rule shall be inserted, namely:—
“(2) The Central Government may, for reasons to be recorded in writing, relax the provisions of sub-rule (1) in any special case.”

[No. MII-164(12)/61.]

H. S. SAHNI, Under Secy.

MINISTRY OF TRANSPORT & COMMUNICATIONS
(Departments of Communications & Civil Aviation)

New Delhi, the 20th October 1961

G.S.R. 1304.—In exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (22 of 1934), the Central Government hereby makes the following rules further to amend the Indian Aircraft Rules, 1937, the same having been previously published as required by section 14 of the said Act, namely:—

1. **Short title.**—These rules may be called the Indian Aircraft (Amendment) Rules, 1961.

2. In the Indian Aircraft Rules, 1937 (hereinafter referred to as the said Rules)

(1) For rule 7, the following rule shall be substituted, namely:—

“7—Documents to be carried in aircraft:—

- (1) No person in charge of any aircraft engaged in international navigation shall allow such aircraft to be flown unless the following documents issued or rendered valid by the State in which the aircraft is registered are carried on board the aircraft, namely:—
 - (i) the certificate of registration,
 - (ii) the certificate of airworthiness,
 - (iii) the journey log book,
 - (iv) the appropriate licences for each member of the crew,
 - (v) if equipped with radio apparatus as prescribed under rule 63 of these Rules, the permit and/or licence for such apparatus and also the telecommunication log book, except that the telecommunication log book need not be maintained when using radio telephony,
 - (vi) a list showing the name and nationality of each member of the crew,
 - (vii) if the aircraft carries passengers, a list showing their names, nationality, places of embarkation, immediate and ultimate destination,
 - (viii) if the aircraft carries goods, air consignment notes and manifests in respect thereof showing a description of the goods, the names and addresses of the consignor and the consignee and the immediate and ultimate destination of the goods,
 - (ix) a stores list showing the nature and quantity of all stores carried, and
 - (x) working copies of the aircraft, engine and variable pitch propeller log books.

(2) No person in charge of any aircraft registered in India engaged in international navigation shall allow such aircraft to be flown unless the following additional documents issued or rendered valid are carried on board the aircraft namely:—

- (i) in the case of a public transport aircraft, the certificate of safety in force in respect of the aircraft,

- (ii) in the case of a public transport aircraft, a load sheet relating to the particular flight of the aircraft,
 - (iii) working copies of the aircraft radio apparatus log book as prescribed under rule 67 of the these Rules
- (3) When not engaged in international navigation no person incharge of an aircraft shall allow such aircraft to be flown unless the following documents are carried on board the aircraft, namely:—
- (i) in the case of public transport aircraft the documents specified in clauses (i) to (x) of sub-rule (1) and (i) to (iii) of sub-rule (2),
 - (ii) in the case of an aerial work aircraft, the documents specified in clauses (i) to (v) of sub-rule (1),
 - (iii) in the case of a private aircraft, the documents specified in clauses (i), (ii), (iv) and (v) of sub-rule (1).

Provided that an aircraft which does not leave the vicinity of its starting place and which returns without landing elsewhere to its starting place need not carry any documents except those specified in clause (iv) of sub-rule (1);

Provided further that where a licence or other document has been submitted to a competent authority under these rules for renewal or other action, that fact shall be deemed a valid excuse for its not being carried on board the aircraft."

(2) For rule 67 of the said Rules, the following rule shall be substituted, namely:—

"67. Log Books—(1) The following log books shall be kept in respect of aircraft registered in India, namely:—

- (a) a journey log book;
 - (b) an aircraft log book;
 - (c) for an aircraft, fitted with an engine, an engine log book and if fitted with more than one engine, a separate log book for each engine;
 - (d) for an aircraft fitted with a variable pitch propeller, a variable pitch propeller log book and if fitted with more than one such propeller a separate log book for each propeller;
 - (e) for an aircraft for which carriage of radio apparatus is prescribed by these rules, a radio apparatus log book.
- (2) The journey log book shall be issued by the Director General. Other log books shall be in such form as may be prescribed or approved by the Director General.
- (3) Entries in the journey log book in respect of each journey shall be currently made by the crew and the pilot-in-command of the aircraft shall ensure that such entries are made in accordance with the requirements of this rule.
- (4) Entries in the aircraft, engine and variable pitch propeller log books (other than the entries made by the constructor thereof) shall be made and signed by an appropriately licensed Aircraft Maintenance Engineer or an inspector approved by the Director General except that in the case of a private aircraft, the entries may be made by the owner or the pilot of the aircraft
- (5) Entries in the Radio apparatus log book shall be made and signed by a licensed radio maintenance engineer or by a person approved by the Director General.
- (6) Entries in the aircraft, engine, variable pitch propeller and radio apparatus log books shall be made within 48 hours of the return of the aircraft to its normal base, or when the aircraft is already at its base, within 48 hours of the completion of the work.
- (7) Entries in any log book shall be made in a form and manner as may be prescribed by the Director General. All entries and signatures in the log books shall be made in ink or indelible pencil.
- (8) (a) The aircraft log books shall be preserved until such time as the aircraft is permanently withdrawn from use and its Certificate of Registration is cancelled by the Director General: Provided that in the case of an aircraft meeting with an accident resulting in damage beyond economical repairs the aircraft log book shall be preserved for a period of two years after the date of the accident.

- (b) The engine and propeller log books shall be preserved for a period of one year after the engine and propeller are permanently withdrawn from use.
- (c) Other log books shall be preserved for two years from the date of the last entry therein.
- (9) Where log books in respect of aircraft, engines or variable pitch propellers or radio apparatus are not kept in the manner and form prescribed in this rule, the aircraft shall be deemed as not being maintained in an airworthy condition for the purpose of rule 15 of these rules.
- (10) No person shall destroy, mutilate, alter or render illegible any log book or any entry made therein, or wilfully make or procure or assist in the making of any false or fraudulent entry in or omission from any log book.

Explanation.—For the purpose of this rule, the “Constructor” is a person or a firm which carries out any construction, overhaul, repair, modification or replacement.

[No. F. 10-A/88-57/AR/Am(1).]

K. GOPALAKRISHNAN, Dy. Secy.

MINISTRY OF RAILWAYS

(RAILWAY BOARD)

New Delhi, the 24th October 1961

G.S.R. 1301.—In exercise of the powers conferred by section 47 of the Indian Railways Act, 1890 (9 of 1890) read with the Notification of the Government of India in the late Department of Commerce and Industry No. 801, dated the 24th March, 1905, the Railway Board with the sanction of the Central Government hereby make the following rules to amend the Railways Red Tariff Rules, 1960, published with the Notification of the Ministry of Railways (Railway Board) No. GSR-1037 in the Gazette of India Extraordinary, Part II, Section 3, Sub-Section (i) No. 107, dated the 5th September, 1960, namely:

1. These Rules may be called the Railways Red Tariff (3rd Amendment) Rule, 1961.
2. In the Railway Red Tariff Rules, 1960, in Table III at the end of Chapter III under the heading "Class 'A'" before the item 'Petrol (Benzine)' in column 1 and the entries relating thereto, the following item and entries shall be inserted namely:—

GENERAL CLASSIFICATION			W/-or C.C. Weight conditions under which wagon-load rates apply.			Remarks	PACKING (See also Rule 307)	Exceptional or Additional Rules regarding marking age by Goods and labelling Trains. (See also Rules 308, 314, 315, 316, 309 & 323-1)	Exceptional or Additional Rules regarding carriage by Goods Trains. (See also Rules 317, 318 & 319)	Exceptional Rules regarding carriage in brake van of Passenger Mixed or Parcels Train. (See also Rule 320)	Exceptional or Additional Stowage and Carriage Rules. (See also Rules 321, 322, 324, & 325).
Name of Liquid	Smalls	Wagon loads	BG	MG	NG						
1	2						3	4	5	6	7
N.L. Gas (73 Octone)	120-B	110-B	CC 110	CC 90	CC 65	In tank wagons. Not in tank wagons.	(1) In stone-ware jars or glass stoppered bottles standing up-right in wooden cases filled with chaff or saw-dust mixed with coal dust, wood ashes chalk or sand. Amount limited to one jar or bottle per	(1) May be carried in tank wagons. (2) On the North-east Frontier Railway liquids marked* in column 1 may be carried in wagons by mixed or	May be carried in the rear brake van.	Liquids marked† must not be loaded with food stuff or food stuff empties.	

1	2	3	4	5	6	7
		<p>case or 27·27 litres per case, when packed in 0·45 kg. bottles.</p> <p>(2) In strong metal cans or drums.</p> <p>Amount limited to 9·09 litres in each can, 18·18 litres in each jerrican, and 295·48 litres in each drum.</p>		<p>parcel trains even when goods trains are running.</p>		

[No. 61TGII/21/14.]

D.V. REDDY, Secy.

MINISTRY OF FOOD AND AGRICULTURE
(Department of Food)

New Delhi, the 13th October 1961

G.S.R. 1306.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Directorate of Sugar and Vanaspati (Recruitment to Class I and Class II posts) Rules, 1958, published with the notification of the Government of India, in the Ministry of Food and Agriculture (Department of Food) No. G.S.R. 1075, dated the 3rd November, 1958, at pages 1055 to 1064 of Part II Section 3(1) of the Gazette of India, dated the 8th November, 1958, namely:—

1. These rules may be called the Directorate of Sugar and Vanaspati (Recruitment to Class I and II posts) Second Amendment Rules, 1961,
2. In the Schedule to the Directorate of Sugar and Vanaspati (Recruitment to Class I and Class II posts) Rules, 1958,
 - (1) after item 1. A and the entries relating thereto, the following item
 1. B and the entries relating thereto shall be inserted namely:—

ANNEX

Name of post	No. of Posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits
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1	2	3	4	5	6	7
1. B. Director (Sugar Control).	1	G.C.S. Class I.	Rs. 1100—50—1300—60—1600.	Selection	Below 50 years. (Relaxable for Govt. servants and for other special categories in accordance with the general instructions).	<p><i>Essential:—</i></p> <p>(i) Degree in Arts Commerce or Science of a recognised University or an equivalent qualification.</p> <p>(ii) About 7 years experience in responsible post, preferably in sugar industry or a Government Organisation dealing with Sugar or Food Controls.</p> <p>Qualifications relaxable at Commission's discretion in the case of candidates otherwise well qualified.</p> <p><i>Desirable:—</i></p> <p>Knowledge of Sugar Trade and Statistics.</p>

(ii) after item 3 and the entries relating thereto, the following items shall

ANNEX

3. A. Deputy Director (Sugar Distribution).	1	G.C.S. Class I	Rs. 700—40—1100—50/2—1250.	Not applicable.	Below 45 years (Relaxable for Government servants and for other special categories in accordance with the general instructions).	<p><i>Essential:—</i></p> <p>(i) Degree in Arts, Commerce or Science of a recognised University or an equivalent qualification.</p> <p>(ii) About 5 years experience in a responsible post preferably in Sugar Industry or Government Organisation dealing with Sugar or Food Control.</p> <p>Qualifications relaxable at Commission's discretion in the case of candidates otherwise well qualified.</p> <p><i>Desirable:—</i></p> <p>Knowledge of Sugar Trade and Statistics.</p>
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URE I

Wehther age and educa- tional qualifi- cations pres- cribed for the direct recruits will apply in the case of pro- motees	Period of probation, if any	Method of rectt. whether by direct rectt. or by promo- tion or transfer & percentage of the va- cancies to be filled by various methods	In case of rectt. by promotion/trans- fer, grades from which promotion to be made	If a DPC exists what is its com- position	Circumstan- ces in which U.P.S.C. is to be con- sulted in making rectt
8	9	10	11	12	13
No	Two years	By promotion failing which by deputa- tion/transfer, failing both by direct re- cruitment.	<i>Promotion :—</i> (i) Deputy Director (Sugar Control)-I Rs. 700—1250. (ii) Deputy Director (Sugar Distribu- tion)-I (Rs. 700— 1250) with 3 years service in the gra- de. <i>Deputation/transfer :—</i> Suitable officers from the I.A.S., C.S.S. Grade I or other Central Class I Services.	Class I DPC	As required under the rules.

be inserted, namely:—

URE II

Not applicable	Two years.	By deputation/trans- fer failing which by direct recruit- ment.	<i>Deputation/transfer.—</i> Suitable Deputy Director in the De- partment of Food or C. S. S. Grade I or II Officers.	Not ap- plicable.	As required under the rules.
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1	2	3	4	5	6	7
3. B. Deputy Director (Accounts)	I	G.C.S. Class I	Rs. 700—40 —1100—50/ 2—1250.	Not app- licable.	Do.	<p><i>Essential :—</i></p> <p>(i) Accountancy qualifications recognised for enrolment in the register of Members maintained by the Council of the Institute of Chartered Accountants of India or final examination of Institute of Cost and Works Accountants London or Indian Institute of Costs and Works, Accountants, Calcutta.</p> <p>(ii) About 5 years experience of accounts work in a responsible capacity in a large Government Office or Organisation of repute.</p> <p>Qualifications relaxable at Commission's discretion in the case of candidates otherwise well qualified.</p> <p><i>Desirable :—</i></p> <p>Experience of Auditing the Accounts of factories.</p>

8	9	10	11	12	13
Not applicable	Two years.	By transfer on deputation failing which by direct recruitment.	<i>Transfer on deputation.</i> A suitable officer from an organised Audit & Accounts Service at the Centre or in the States (I.A. & A.S., M.A.D., S.A.S.) Period of deputation—3 years subject to extension in consultation with the Commission.	Not applicable.	As required under the rules.

[No. F.1-91/58-S.Admn.]

PARTAP SINGH, Under Secy.

(Department of Food)

ORDER

New Delhi, the 24th October 1961

G.S.R. 1307.—In exercise of the powers conferred by section 19 of the Rice-Milling Industry (Regulation) Act, 1958 (21 of 1958), the Central Government hereby directs that the powers exercisable by it—

- (a) to grant previous permission under clauses (c) and (d) of sub-section (3) of section 8 of the said Act, and
- (b) to authorize a person for the purposes specified in section 9 of the said Act

shall, in relation to the rice mills situated in the State of Madras, be exercisable also by the Commissioner of Civil Supplies of the said State.

[No. 209(MAS)(2)/561/61-PY.II.]

S. N. BHALLA, Dy. Secy.

MINISTRY OF WORKS, HOUSING & SUPPLY

New Delhi, the 21st October 1961

G.S.R. 1308.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, regulating the method of recruitment to the posts of Senior Gestetner operator in the Headquarters Office of the Director General of Supplies and Disposals, New Delhi, namely:—

1. **Short title.**—These rules may be called the Director General of Supplies and Disposals (Senior Gestetner Operator) Recruitment Rules, 1961.

2. **Application.**—These rules shall apply for recruitment to the post specified in column 1 of the Schedule annexed hereto.

3. **Number, classification and scale of pay.**—The number, classification of the post and the scale of pay attached thereto shall be as specified in columns 2, 3 and 4 of the said Schedule.

4. **Nature of the post, the method of recruitment, the age limit etc.**—The nature of the post, the method of recruitment, the age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 11 of the said Schedule:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of candidates belonging to Scheduled Castes, Scheduled Tribes or displaced persons and other special categories in accordance with the general orders issued from time to time by the Government of India.

5. **Disqualification.**—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to service; and

(b) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service:

Provided that the Government of India may, if it is satisfied that there exist special grounds for doing so, exempt any such candidate from the operation of this rule.

SCHB

Recruitment Rules for the post of Senior Gestetner Operator in the

Name of Post	No. of posts	Classification whether gazetted or non-gazetted and whether Ministerial or non-ministerial	Scale of pay	Whether Selection or non-selection post	Methods of recruitment i.e. whether by direct recruitment, by promotion or by transfer and percentage of vacancies to be filled by the various methods
1	2	3	4	5	6
Senior Gestetner Operator.	3	Non-gazetted Class III Ministerial.	Rs. 110—3—125	Non-Selection	By promotion. If suitable departmental candidates are not available then by direct recruitment.

DULE

Headquarters office of the Directorate General of Supplies & Disposals.

Age limit (for direct recruitment)	Educational and other qualifications (for direct recruitment)	Period of probations, if any	Whether age and educational qualifications prescribed for direct recruitment will apply in case of recruitment by promotion/transfer.	In case of vacancies filled by promotion/transfer/grades/sources from which promotion/transfer are to be made
7	8	9	10	11
18—25 years.	Middle School Standard.	Two years	No.	Junior Gesteiner Operators who have rendered at least 3 years service in the grade.

[No. 49(11)/61-ESII.]

G.S.R. 1309.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules in supersession of the rules issued with this Ministry's letter No. EIV-83(2)/52, dated the 12th April, 1956, regulating the method of recruitment to the post of Staff Car Driver, Comptometer Operator and Librarian in the Headquarters office of the Director General of Supplies and Disposals, New Delhi, namely:—

1. **Short title.**—These rules may be called the Directorate General of Supplies and Disposals (Class III, Non-Ministerial posts) Recruitment Rules, 1961.

2. **Application.**—These rules shall apply for recruitment to the posts specified in column 1 of the Schedule annexed hereto.

3. **Number, classification and scale of pay.**—The number, classification of the posts and the scale of pay attached thereto shall be as specified in column 2, 3 and 4 of the said Schedule.

4. **Nature of the post, the method of recruitment, age limit etc.**—The nature of the post, the method of recruitment, the age limit qualifications and other matters connected therewith shall be as specified in columns 5 to 11 of the said Schedule:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of candidates belonging to Scheduled Castes, Scheduled Tribes or Displaced persons and other special categories of persons in accordance with the general orders issued from time to time by the Government of India.

5. **Disqualification.**—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to service; and

(b) no woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service:

Provided that the Central Government may if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHEDULE

Recruitment Rules in respect of Non-Gazetted Miscellaneous posts in the Headquarters office of the

Name of post	No. of posts	Classification whether gazetted or Non-gazetted and whether Ministerial or Non-Ministerial	Scale of pay	Whether selection or non-selection post (for promotion posts only)	Method of recruitment whether by direct recruitment, by promotion or by transfer and percentage of the vacancies to be filled by various methods
1	2	3	4	5	6
Staff Car Driver.	3	Non-gazetted Class III, Non-Ministerial.	Rs. 110—3—131— 4—139	..	By direct recruitment.
Comptometer Operator.	11	Do.	110—3—131— 4—155—EB —4—175—5 —180 + Special Pay Rs. 15/-.	..	Do.
Librarian	1	Do.	210—10—290 —15—320— EB—15—425	..	Do.

Directorate General of Supplies and Disposals.

For direct recruitment only		Period of probation	Whether age and educational qualifications prescribed for direct recruitment will apply in the case of promotion	In case of recruitment by promotion/transfer grades from which promotion/transfer to be made
Age limit	Educational qualifications required			
7	8	9	10	11
21—25 years.	A qualifying licence for driving cars and heavy vehicles. Should have at least 5 years' experience. Middle school standard pass is desirable.	Two years	Does not arise.	Does not arise.
18—25 years.	Matriculation or equivalent qualifications with a Certificate of competency from M/s. Felt & Tarrant Ltd. Bombay or from any other recognised schools or colleges.	Do.	Does not arise.	Does not arise.
18—25 years.	Graduate of a recognised University possessing a Diploma of Librarian's course of a recognised University should have previous experience as Librarian in some standard library of repute for at least 2 years. Knowledge of at least one foreign language other than English is desirable.	Do.	Does not arise.	Does not arise.

[No. 49(11)/61-ESII.]

R. RAJAGOPALAN, Under Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 23rd October 1961

G.S.R. 1310.—The following draft of certain rules further to amend the Industrial Disputes (Central) Rules, 1957, which the Central Government proposes to make in exercise of the powers conferred by section 38 of the Industrial Disputes Act, 1947 (14 of 1947), is published as required by sub-section (1) of the said section for the information of persons likely to be affected thereby; and notice is hereby given that any objection or suggestion received from any person or organisation with respect to the said draft on or before the 1st December, 1961, will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Industrial Disputes (Central) Amendment Rules, 1961.

2. In rule 44 of the Industrial Disputes (Central) Rules 1957 (hereinafter called the said rules), after the proviso, the following explanation shall be inserted, namely:—

“Explanation.—A workman who has put in a continuous service of not less than one year in two or more establishments belonging to the same employer shall be deemed to have satisfied the service qualification prescribed under this rule”.

3. In rule 45 of the said rules—

- (i) the words “other than casual employees” shall be omitted;
- (ii) the following Explanation shall be inserted at the end, namely:—

“Explanation.—A workman who has put in a continuous service of not less than 6 months in two or more establishments belonging to the same employer shall be deemed to have satisfied the service qualification prescribed under this rule”.

4. After rule 48, of the said rules, the following rule shall be inserted, namely:—

“48A. Withdrawal of candidates validly nominated.—

Any candidate whose nomination for election has been accepted may withdraw his candidature within 48 hours of the completion of scrutiny of nomination papers”.

5. In rule 51 of the said rules—

- (a) for sub-rule (2), the following sub-rules shall be substituted, namely:—

“(2) The Chairman shall be nominated by the employer from amongst the employer's representatives on the Committee and he shall, as far as possible, be the head of the establishment.

(2A) The Vice-Chairman shall be elected by the members on the Committee representing the workers, from amongst themselves”.

6. For sub-rule (1) of rule 52 of the said rules, the following sub-rule shall be substituted, namely:—

“(1) The term of office of the representatives on the committee other than a member chosen to fill a casual vacancy shall be two years”.

7. Rule 56 of the said rules shall be re-numbered as sub-rule (1) of that rule and after sub-rule (1) as so re-numbered, the following sub-rule shall be inserted, namely:—

“(2) The Secretary of the Committee may put up notice regarding the work of the Committee on the notice board of the establishment”.

8. After rule 56 of the said rules, the following rule shall be inserted, namely:—

“56A. Submission of returns.—The employer shall submit quarterly returns as in Forms ‘G-1’, ‘G-2’ and ‘G-3’, in triplicate to the Conciliation Officer (Central) concerned not later than the 20th day of the month following the quarter”.

9. After ‘Form G’ in the Schedule to the said rules, the following Forms shall be inserted, namely:—

"FORM G-1.

(See Rule 56-A)

Progress Report on constitution and functioning of Works Committee for the quarter ending

- (1) Name and address of the establishment.
- (2) Name of the employer.
- (3) (a) Number of workmen employed.
(b) Names of Unions, if any.
(c) Affiliation of the Union(s) to the Central Organisations of Workers.
- (4) If the Works Committee has been functioning—
(a) Date of its constitution.
(b) Number of workmen's representatives (elected members).
(c) Number of employer's representatives (Nominated members).
(d) Number of meetings held during the quarter (with dates).
- (5) If the Works Committee had not been functioning, the difficulties encountered in its constitution/functioning.
- (6) General remarks, if any.

Signature of employer or
his representative.

Place.....

FORM G-2

(See Rule 56A)

Report on implementation of decisions of the Works Committee during the quarter under report.

S. No.	Date of meeting	Brief resume of the subjects discussed.	Whether discussion on the subject was raised by the employer or workmen (to be indicated by letters 'E' or 'W').	Decision taken and whether decision was unanimous.	Whether the decision was accepted by the management; if so, on what date.	Date of implementation of the decision in case it was accepted by the management	If decision not accepted by management, date on which works Committee members were informed accordingly	Remarks
1	2	3	4	5	6	7	8	9

Date
PlaceSignature of employer or
his representative.

FORM G-3
(See Rule 56A)

Report on implementation of decisions of the Works Committee prior to the quarter under report

S. No.	Date of the meeting.	Decisions taken by the Works Committee.	Date of implementation of the decision.	If not implemented, state reasons why	If management has decided not to accept the decision, date when Works Committee members were informed accordingly.	Remarks
1	2	3	4	5	6	7

Date —

Signature of employer or his representative."

Place:—

[No. LRI-2/3/61.]

A. L. HANDA, Under Secy.

New Delhi, the 24th October 1961

G.S.R. 1311.—The following draft of certain rules further to amend the Minimum Wages (Central) Rules, 1950 which the Central Government proposes to make in exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (11 of 1948) is published as required by sub-section (1) of that section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 30th November, 1961.

Any objection or suggestion which may be received from any person with regard to the said draft before the date so specified will be considered by the Central Government.

DRAFT RULES

1. These Rules may be called the Minimum Wages (Central) Third Amendment Rules, 1961.

2. In the Minimum Wages (Central) Rules, 1950 in rule 26, after sub-rule (5), the following sub-rule shall be inserted, namely:—

"(6) Notwithstanding anything contained in this rule, where a combined form is sought to be used by the employer to avoid duplication of work for compliance with the provisions of any other Act or the rules framed thereunder, an alternative suitable form in lieu of any of the forms prescribed under this Rule may be used with the previous approval of the Chief Labour Commissioner (Central)."

[No. LWI(I)-3(1)/61.]

K. D. HAJELA, Under Secy.